

1 rudyagustininf

2 LEONARDO M. RAPADAS  
United States Attorney  
3 RYAN M. ANDERSON  
Special Assistant U.S. Attorney  
4 Sirena Plaza Suite 500  
108 Hernan Cortez Avenue  
5 Hagatna, Guam 96910  
Telephone: (671) 472-7332  
6 Telecopier: (671) 472-7334

7 Attorneys for the United States of America

**FILED**  
DISTRICT COURT OF GUAM

AUG 17 2007

JEANNE G. QUINATA  
Clerk of Court

8 **IN THE UNITED STATES DISTRICT COURT**

9 **FOR THE DISTRICT OF GUAM**

10 UNITED STATES OF AMERICA,

11 Plaintiff,

12 vs.

13 RUDY AGUSTIN JR.,

14 Defendant.

CRIMINAL CASE NO. 07-00079

**AMENDED INFORMATION**

**DISTRIBUTION OF  
METHAMPHETAMINE**

[21 U.S.C. § 841(a)(1)]  
(Count I)

**FORFEITURE ALLEGATION**

[21 U.S.C. § 853]  
(Count II)

16 THE UNITED STATES ATTORNEY CHARGES:

17 **COUNT I - DISTRIBUTION OF METHAMPHETAMINE**

18 Beginning on or about May 11, 2007, and continuing up to on or about May 18, 2007, in  
19 the District of Guam, the defendant herein, RUDY AGUSTIN JR., did unlawfully and knowingly  
20 distribute .168 grams net weight, of methamphetamine, a schedule II controlled substance, in  
21 violation of Title 21, United States Code, Section 841(a)(1).

22 **COUNT II - FORFEITURE ALLEGATION**

23 The allegations of Count I of this Indictment are hereby realleged and incorporated by  
24 reference for the purpose of alleging criminal forfeiture pursuant to Title 21, United States Code,  
25 Section 853.

26 1. From his engagement in the violation alleged in Count I of the Indictment, punishable  
27 by imprisonment for more than one year, the defendant, RUDY AGUSTIN JR., shall forfeit to  
28 the United States, pursuant to Title 21, United States Code, Sections 853(a)(1) and (2), any and

1 all real and/or personal property which was involved in the commission of the violation of Title  
2 21, United States Code, Section 841(a)(1) as set forth in Count I respectively, or traceable to such  
3 property including, but not limited to the following:

4 **CASH PROCEEDS**

5 Approximately \$200.00 in U.S. Currency, in that such sum in aggregate was received in  
6 exchange for the distribution of controlled substances or is traceable thereto.

7 **AUTOMOBILES**

8 One 1988 grey Toyota Pick-Up, Guam License Plate #8669MLL, VIN number  
9 JT4VN63C4J0007468.

10 2. If any of the property described above as being subject to forfeiture, as a result of any  
11 act or omission of the defendant RUDY AGUSTIN, JR.:

- 12 a. cannot be located upon the exercise of due diligence;  
13 b. has been transferred, sold to, or deposited with, a third party;  
14 c. has been placed beyond the jurisdiction of the Court;  
15 d. has been substantially diminished in value; or  
16 e. has been commingled with other property which cannot be subdivided without  
17 difficulty;

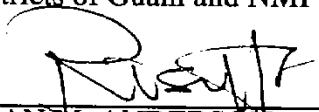
18 it is the intent to the United States, pursuant to Title 21, United States Code, Section 853(p) to  
19 seek forfeiture of any other property of said defendant up to the value of the above forfeitable  
20 property.

21 All in violation of Title 21, United States Code, Section 853.

22 Dated this 17 day of August, 2007.

23 LEONARDO M. RAPADAS  
24 United States Attorney  
25 Districts of Guam and NMI

26 By:

27   
28 RYAN M. ANDERSON  
Special Assistant U.S. Attorney